



PATENT
Attorney Docket No. A-68752-1/RFT
Dorsey File No. 467084-36

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

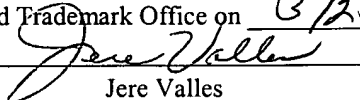
Hammerman, et al.
Application No.: 09/472,662
Filing Date: December 27, 1999
For: Composition and Method for
Improving Function of Embryonic
Kidney Transplants

Examiner: Anish Gupta

Art Unit: 1653

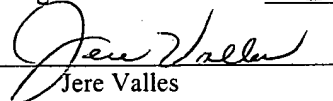
Certificate of Facsimile Transmission

I hereby certify that this correspondence, including listed enclosures, is being facsimile transmitted to the U.S. Patent and Trademark Office on 3/23/06.


Jere Valles

Certificate of Mailing

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on 3/23/06.


Jere Valles

COMMUNICATION REGARDING ERRONEOUS ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

ATTN: Examiner Anish Gupta

Dear Examiner Gupta:

As requested, enclosed is a copy of the Response to the Office Action mailed June 5, 2001 in the above-identified patent application. This Response was originally filed via First Class Mail on October 4, 2001. This Communication is filed via Facsimile Transmission and First Class Mail.

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If the application is still lost, Applicant requests immediate confirmation so that it can supply the U.S. Patent and Trademark Office with a copy of the file to facilitate prosecution.

The following briefly summarizes the events surrounding the lack of prosecution in this matter.

After submitting its October 4, 2001 Response, Applicant received a January 2, 2002 Office Action stating that page 4 of the Response appeared to be missing.

Applicant resubmitted the Response on January 14, 2002 via Facsimile Transmission.

On September 5, 2003, the undersigned contacted Examiner Gupta regarding the status of the application.

On July 28, 2004, the undersigned again talked with Examiner Gupta regarding this matter and was informed that the file was lost as of December 2003.

On August 2, 2004, Applicant again forwarded the January 14, 2002 Response via Facsimile Transmission.

After discussing this matter with the Examiner on October 24, 2005, Applicant again forwarded the January 14, 2002 Response to Examiner Gupta and to Group 1600 via Facsimile Transmission.

On January 4, 2006, Applicant received a Notice of Abandonment mailed December 16, 2005 for failure to respond to the Office Action mailed January 2, 2002.

Applicant requests that the Response filed on January 14, 2002 be entered and considered in a timely manner.

Applicant requests that the Notice of Abandonment be withdrawn.

Applicant further requests that the Examiner make note of the delay caused by the U.S. Patent and Trademark Office in prosecution of this matter from at least January 14, 2002 until

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the time the Examiner issues an Office Action regarding Applicant's Response to the June 5, 2001 Office Action.

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Applicant does not believe any fees are required. However, if any fees are required, including extension fees, the Examiner is hereby authorized to charge any such fees, or credit any overpayment to Deposit Account No. 50-3219 (Our Docket A-68752-1/RFT [467084-36]).

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated: March 21, 2006

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